

## FOREWORD

By FLOYD B. MCKISSICK

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**C**OULD A BLACK LAW JOURNAL have made any difference during the 60's or earlier? Would it have helped civil rights lawyers, black and white, to be better lawyers, to better serve their clients' interests? Would it have made "the Movement" more effective? I think it would have.

More importantly, will a BLACK LAW JOURNAL serve those purposes in the 70's for lawyers working on behalf of blacks, inside "the Movement" and outside? Will it be worth the time, money and effort required for such an ambitious undertaking? Only if it interprets the law from a strictly black point of view, presenting past and current cases in a black perspective—clearly defining the impact and potential for change presented by specific cases or legal concepts.

In the United States, laws are, for the most part, enacted by and for whites. They are frequently used against blacks and for this reason it is essential that blacks lawyers understand the subtle racism implicit in so many laws, and that they effectively combat this racism. For too long we have accepted white laws as binding and final—not daring to challenge their validity or, failing that, maneuvering to avoid the more unjust consequences. It is time now for black lawyers and judges to take a less idealistic stance, clearly assessing the existing laws and statutes. It is in this area that a strong, well-conceived BLACK LAW JOURNAL can be most helpful.

For example, in 1954, if there had been such a Black Journal to point out *all* the implications of *Brown v. Board of Education*, 347 U. S. 483 (1954) there might have been less misguided optimism and false hope. At least among those who should have known better, the black lawyers.

**E**VERY NATION needs a system of laws by which to govern. It is the lawyers who are most useful in developing and codifying those laws. This will be one of their most important tasks as black nationhood becomes a reality. I do not necessarily mean a physically separate black nation. I do mean that, at the very least, blacks are becoming more and more sophisticated in their judgement of the American system and more and more organized and cohesive in their own communities. A new black culture is being developed and black lawyers will be among the most important forces within that culture. In places like Soul City, a new black city being built in North Carolina, black lawyers will actually have the opportunity to assist in the development of a totally new City Charter, and help in the codifying of local laws and ordinances. They, and other black professionals, will be able to apply the skills and competence acquired in primarily white institutions to building something new and better. This, after all, can be the only real justification for obtaining such skills. They are useless if they are not used to help our people. Selfish personal aims are only detrimental to the objectives of American blacks.

In both these areas—defense of black clients in the courtrooms of white America and the creation of new black laws and systems wherever possible—a BLACK LAW JOURNAL will be invaluable. It must, however, be a broad and unencumbered journal, unafraid to present all shades of black opinion on every important issue. No ideas should be too radical or too conservative. This journal must be a forum as well as a guide. It must provide the theoretical framework for practical daily application of black legal ideas and concepts.